



**Filed: 2/18/2005**

09400HB0172ham001

LRB094 04161 DRJ 41316 a

1 AMENDMENT TO HOUSE BILL 172

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 172 by replacing  
3 everything after the enacting clause after the following:

4 "Section 5. The Abused and Neglected Child Reporting Act is  
5 amended by changing Section 7.14 as follows:

6 (325 ILCS 5/7.14) (from Ch. 23, par. 2057.14)

7 Sec. 7.14. All reports in the central register shall be  
8 classified in one of three categories: "indicated",  
9 "unfounded" or "undetermined", as the case may be. After the  
10 report is classified, the person making the classification  
11 shall determine whether the child named in the report is the  
12 subject of an action under Article II of the Juvenile Court Act  
13 of 1987. If the child is the subject of an action under Article  
14 II of the Juvenile Court Act, the Department shall transmit a  
15 copy of the report to the guardian ad litem appointed for the  
16 child under Section 2-17 of the Juvenile Court Act. All  
17 information identifying the subjects of an unfounded report  
18 shall be expunged from the register forthwith, except as  
19 provided in Section 7.7. Unfounded reports may only be made  
20 available to the Child Protective Service Unit when  
21 investigating a subsequent report of suspected abuse or  
22 maltreatment involving a child named in the unfounded report;  
23 and to the subject of the report, provided that the subject  
24 requests the report within 60 days of being notified that the

1 report was unfounded. The Child Protective Service Unit shall  
2 not indicate the subsequent report solely based upon the  
3 existence of the prior unfounded report or reports.  
4 Notwithstanding any other provision of law to the contrary, an  
5 unfounded report shall not be admissible in any judicial or  
6 administrative proceeding or action. Identifying information  
7 on all other records shall be removed from the register no  
8 later than 5 years after the report is indicated. However, if  
9 another report is received involving the same child, his  
10 sibling or offspring, or a child in the care of the persons  
11 responsible for the child's welfare, or involving the same  
12 alleged offender, the identifying information may be  
13 maintained in the register until 5 years after the subsequent  
14 case or report is closed.

15 Notwithstanding any other provision of this Section,  
16 identifying information in indicated reports involving ~~the~~  
17 ~~sexual abuse of a child, the death of a child, or~~ serious  
18 physical injury to a child as defined by the Department in  
19 rules, may be retained longer than 5 years after the report is  
20 indicated or after the subsequent case or report is closed, and  
21 may not be removed from the register except as provided by the  
22 Department in rules. Identifying information in indicated  
23 reports involving sexual penetration of a child, sexual  
24 molestation of a child, sexual exploitation of a child, torture  
25 of a child, or the death of a child, as defined by the  
26 Department in rules, shall be retained for a period of not less  
27 than 50 years after the report is indicated or after the  
28 subsequent case or report is closed.

29 (Source: P.A. 92-801, eff. 8-16-02.)

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law."